DECLARATORY

Improvement Res. No. 1005-1959

Vacation of the alley between Spatz Avenue and Gaywood Drive from the south property line of lots 45 and 54, Philley's Amended Sub. to the north property line of Philley Avenue.

Resolution Adopted:

Oct. 12, 1959

Confirmed:

Nov. 23, 1959

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Report Completed:

Assessment Roll Confirmed:

Feb. 4, 1960

B. O. 105B-

DECLARATORY RESOLUTION NO. 1005-1959

Which provides for the Vacation of the alley between Spatz Avenue and Gaywood Drive from the south property line of lots 45 and 54, Philley's Amended Sub. to the north property line of Philley Avenue.

PLANS ORDERED:

ADOPTED: Oct. 12, 1959

ADVERTISE NOTICE TO PROPERTY OWNERS: Oct. 16 & 23, 1959

HEARING ON CONFIRMATION: Mon., Nov. 9, 1959, 6:30 p.m. IST.
T.U.A. until Nov. 23, 1959, 6:30 p.m. IST

CONFIRMED: Nov. 23, 1959

ASSESSMENT ROLL ORDERED: Nov. 23, 1959

ASSESSMENT ROLL APPROVED: Jan. 14, 1960

HEARING ON CONFIRMATION
OF ASSESSMENT ROLL: Thurs., Feb. 4, 1960, 6:30 p.m. IST.

NOTICES SERVED: Jan. 22, 1960

ASSESSMENT ROLL CONFIRMED: Feb. 4, 1960

DECLARATORY RESOLUTION No. 1005

For the Vacation ~~Opening Condemnation of right of way for utility purposes~~ of the alley between South Avenue and Gaywood Drive from the south property line of Lots 45 and 54, Phillip's Amended Sub. t, the north property line of Phillip Avenue.

Resolved by the Board of Public Works of the City of Fort Wayne Indiana that it is deemed and deemed necessary to Vacate the alley between South Avenue and Gaywood Drive from the south property line of Lots 45 and 54, Phillip's Amended Sub. to the north property line of Phillip Avenue.

All as shown by a plan of such proposed Vacation ~~Opening Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation ~~Opening Condemnation of right of way for utility purposes~~ shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation ~~Opening Condemnation of right of way for utility purposes~~ is described as follows: Lots 45 to 54 inclusive, Phillip's Amended Sub. said addition including in the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of six (6) per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner in arrears, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessment for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

The vacation of the above described alley shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and poles, conduits and telephone pole lines and fixtures.

All Streets, lots and lands affected by the above described vacation are situated in the southwest quarter of section, township, range in said and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 16th DAY OF [illegible]

Attest:

Secretary Board of Public Works

John Cosgrove
[illegible]
Wm. H. Dwenger
Board of Public Works

PARK PROPERTY
TO BE VACATED FOR PARK PURPOSES
TO BE OPENED FOR STREET PURPOSES
PETTIT AVENUE
PHILLEY AVENUE
HANNA STREET
WEISSER PARK
PHILLIPS ADDITION
AMENDED
DRIVE
SPATZ AVE.
CENTRAL PARK ADDITION
PARK DRIVE
GAYWOOD DRIVE
SO.

OFFICE OF
BOARD OF PUBLIC WORKS

FORT WAYNE 2, INDIANA

41-130-10

B. O. 105B-'59

Date Nov. 23, 1959

To City Engineer

Subject Dec. Res. 1005-1959 for the Vacation

of the alley between Spatz Avenue and Gaywood Drive from the south property line of Lots 45 and 54, Philley's Amended Sub. to the north property line of Philley Avenue.

Prepare Assessment Roll of benefits and damages; the property owners benefited to be assessed costs of advertising.

DEC. 8 1959
NOTED

John Cooper
Berkeley Ward
Orin M. Darling
BOARD OF PUBLIC WORKS
ic
attach Res. & P. O. List

Signed

Reply:

December 7, 1959

Assessment Roll of benefits and damages completed and attached.

Edward Green,
City and Administrative Engineer

RECEIVED
Jan. 13, 1960
~~DEC 8 1959~~

DB/is
attachs.

Signed

SENDER: REMOVE & KEEP 2ND COPY—RECEIVER: ANSWER KEEP 3RD COPY & RETURN 1ST COPY TO SENDER.

NOTICE OF IMPROVEMENT

OFFICE BOARD OF PUBLIC WORKS

Fort Wayne, Indiana, October 23, 1959

1005

To.....

.....

You are hereby notified that the Board of Public Works, of the City of Fort Wayne, Indiana, did pass Improvement Declaratory Resolution No. 1005-1959 providing for the Vacation of the alley between Spatz Avenue and Gaywood Drive from the south property line of Lots 45 and 54, Philley's Amended Sub., to the north property line of Philley Avenue.

All work to be done under aforementioned Improvement Resolution shall be in accordance with the detailed plans, profile and specifications which are now on file and may be seen in the office of the Board of Public Works.

The Board has fixed Monday, November 9, 1959 - 6:30 pm IST. a date and time when they will hear and consider objections or remonstrances from all persons whose propery will be affected by the proposed improvement.

You are hereby notified that

is subject to assessment for said proposed improvement under the Improvement Laws passed by the General Assembly of the State of Indiana, March 6, 1905, and under all acts amendatory thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

RECEIVED 11-9-59
6:50 P.M. I.S.T.

REMONSTRANCE

Fort Wayne, Ind., November 9, 1959

To the Board of Public Works of the City of Fort Wayne:

Gentlemen:

The undersigned, owners of real estate respectfully remonstrate against the passage of a resolution providing for the vacation of the alley between Spatz Avenue and Gaywood Drive from the south property line of Lots 45 and 54, Philley's Amended Sub., to the north property line of Philley Avenue, for the reason that said vacation will destroy the access of this property to the north.

NOTE: ***In case of joint deeds both husbands and wives must sign with their respective legal signatures.***

NAME	ADDRESS
Bernard J. Gookingston By [illegible]	725 E Berry St. Ft Wayne Ind

Remonstrance Against Passage

of a Resolution for

_____

_____

_____

_____

from _____

to _____

Filed with the Board of Public Works

THE LINCOLN PRESS, PRINTERS—FORT WAYNE.

DECLARATORY
~~Improvement~~ Resolution No. 1005-1959 For THE VACATION OF THE ALLEY BETWEEN SPATZ AVENUE AND GAYWOOD DRIVE FROM THE SOUTH PROPERTY LINE OF LOTS 45 AND 54, PHILLEY'S AMENDED SUB. TO THE NORTH PROPERTY LINE OF PHILLEY AVENUE.

	OWNER'S NAME	ADDRESS	R. P. O.	NUMBER OF LOT	NUMBER OF BLOCK	NUMBER OF O. L.	DESCRIPTION
1	SEAMAN, HAROLD E. & MABEL C.	% 900 E. Pettit		43,	44		PHILLEYS AMD. SUB
2	FRANKENSTEIN, BERNARD J.	225 E Berry		45			"
3	CITY OF FORT WAYNE (BD. OF PARK COMMISSIONERS)	515 W. Jefferson		46	TO 53	INCL	"
4	BALDRIDGE, CARRIE M. & MURPHY, IANTHA L.	4902 Gaywood		54,	55		"
5	FORD, FRANK L. & BERNICE M.	4900 Gaywood Dr.		56			"
6	CITY OF FORT WAYNE	City Hall					
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61	NOTICES MAILED ON ~~[illegible]~~						
62	October 23, 1959						
63	By Bisyl Rehling						
64	N. to P.O.						
65							
		TOTAL					

1005 10-13-59

C 1005 C